

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE WESTERN DISTRICT OF TEXAS  
AUSTIN DIVISION**

IN RE	§	
	§	CASE NO. 12-12272-TMD
JOHN E. GILMORE	§	
VALERIE A. GILMORE	§	
	§	CHAPTER 7
DEBTORS.	§	

**APPLICATION TO SELL PROPERTY FREE AND CLEAR OF LIENS AND OTHER  
INTERESTS AND FOR PAYMENT OF CERTAIN COSTS OF SALE**

TO THE HONORABLE TONY M. DAVIS, U. S. BANKRUPTCY JUDGE:

Now comes C. Daniel Roberts, Trustee (“Trustee”), the chapter 7 trustee for the above captioned and numbered bankruptcy case (“Bankruptcy Estate”), to file his Application to Sell Property Free and Clear of Liens and Other Interests and for Payment of Certain Costs of Sale, and in support thereof would respectfully show to the Court as follows:

1. Trustee requests authority to sell the below described property of the estate (“Property”) pursuant to 11 U.S.C. §363 and Bankruptcy Rule 6004 as set forth below. Trustee further asserts that said property is property of the bankruptcy estate.

PROPERTY DESCRIPTION:	The Bankruptcy Estate’s 25% interest in 1501 Beal, LP, 50% interest in Briarwood Partners GP, LLC, and 50% interest in Broadmead Apartments GP, LLC.
PRICE:	\$70,000.00 cash at closing
PURCHASER:	Berry Richardson and/or his assigns
TERMS:	The Property is being sold free and clear of all liens and other interests.
ESTIMATED COSTS OF SALE:	None.

2. Bankruptcy Rule 6004 requires an application and order to effectuate a sale free and clear of liens. It is necessary to file this application so that any party-in-interest asserting a

lien, whether or not such assertion is known to Trustee or Debtors, will be placed on notice that the property will be sold subject to its lien unless otherwise ordered.

3. After consultation with a tax consultant, Trustee does not believe that the estate will suffer any negative tax consequences as a result of the subject sale.

WHEREFORE, PREMISES CONSIDERED, Trustee respectfully prays that the Court enter an order approving the sale of the Property pursuant to the terms and conditions set forth herein. In addition, Trustee prays for any further relief to which he may show himself justly entitled, both general and special, legal and equitable.

Respectfully Submitted,

/s/ C. Daniel Roberts

C. Daniel Roberts  
1602 East Cesar Chavez  
Austin, Texas 78702  
Telephone: (512) 494-8448  
Facsimile: (512) 494-8712  
Email: droberts@cdrlaw.net

CHAPTER 7 TRUSTEE

**CERTIFICATE OF SERVICE**

By my signature above, I hereby certify that on the 14th day of January, 2014, a true and correct copy of the foregoing document was served upon the following parties via electronic means as listed on the Court's ECF noticing system or by regular first class mail, postage prepaid, and that the Notice of Sale of Property, attached hereto as Exhibit "A," was sent in the same manner and on the same day to all creditors and parties-in-interest listed on the attached service list.

John E. Gilmore  
Valerie A. Gilmore  
503 Explorer Street  
Austin, Texas 78734  
DEBTORS

Edward L. Rothberg  
Hoover Slovacek LLP  
5847 San Felipe, Suite 2200  
Houston, Texas 77057  
ATTORNEYS FOR DEBTORS

United States Trustee  
903 San Jacinto Blvd., Room 230  
Austin, Texas 78701

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE WESTERN DISTRICT OF TEXAS  
AUSTIN DIVISION**

IN RE

JOHN E. GILMORE

VALERIE A. GILMORE

DEBTORS.

§  
§  
§  
§  
§  
§

CASE NO. 12-12272-TMD

CHAPTER 7

**NOTICE OF APPLICATION TO SELL PROPERTY  
FREE AND CLEAR OF LIENS AND OTHER INTERESTS  
AND FOR PAYMENT OF CERTAIN COSTS OF SALE**

Notice is hereby given that Trustee requests authority to sell the below described property of the estate free and clear of liens pursuant to 11 U.S.C. §363(c) and (f) as set forth below. Trustee further asserts that said property is property of the bankruptcy estate.

PROPERTY DESCRIPTION: The Bankruptcy Estate's 25% interest in 1501 Beal, LP, 50% interest in Briarwood Partners GP, LLC, and 50% interest in Broadmead Apartments GP, LLC.

PRICE: \$70,000.00 cash at closing

PURCHASER: Berry Richardson and/or his assigns

TERMS: The Property is being sold free and clear of all liens and other interests.

ESTIMATED COSTS OF SALE: None.

Dated: January 14, 2014

/s/ C. Daniel Roberts  
C. Daniel Roberts, Trustee

**Address for Filing Objections:**

U. S. Bankruptcy Clerk  
903 San Jacinto, Suite 322  
Austin, Texas 78701

**Copy of Objection to:**

C. Daniel Roberts & Associates, P.C.  
1602 East Cesar Chavez  
Austin, Texas 78702

**EXHIBIT  
A**

Allied Interstate  
3000 Corporate Exchange Dr  
Columbus, OH 43231-7684

American Bank of Texas  
418 North Highway 281  
Marble Falls, TX 78654

American Express  
P O Box 981535  
El Paso, TX 79998-1535

American Express  
Optima  
2965 W. Corporate Lakes Blvd  
Weston, FL 33331-3626

American Express Bank FSB  
c/o Becket and Lee LLP  
POB 3001  
Malvern PA 19355-0701

American Medical Collection  
4 Westchester Plaza, Bldg 4  
Elmsford, NY 10523-1615

Amrid Pest Control  
614 ridge  
Houston, TX 77009-7519

Annie E. Catmull  
Hoover Slovacek LLP  
5847 San Felipe  
Suite 2200  
Houston, TX 77057-3198

Apple Leasing  
12205 Hunter Chase  
Austin, TX 78729-7245

Arthur J. White, III  
Law Office of Arthur J., White III, PC  
1330 Post Oak Boulevard  
Houston, TX 77056-3031

ASAP Answering Service  
P O Box 2015  
Channelview, TX 77530-8015

AT&T  
P O Box 6500  
Sioux Falls, SD 57117-6500

AT&T  
P O Box 5001  
Carol Stream, IL 60197-5001

AT&T  
1967 Lakeside Parkway  
SUite 402  
Tucker, GA 30084-5867

Atlas Acquisitions LLC  
294 Union St.  
Hackensack, NJ 07601-4303

B.M.C. Cleaning and Carpet Service  
13806 New Villiage Lane  
Sugar Land, TX 77498-1611

Bank of America, N.A.  
c/o BDFTE, LLP  
15000 Surveyor Blvd Suite 100  
Addison, TX 75001-4417

Bank of America  
P O Box 15715  
Wilmington, DE 19886-0001

Bank of America  
P O Box 15710  
Wilmington, DE 19886-5710

Bank of America  
P O Box 1502  
Wilmington, DE 19899-1502

Bank of America  
1950 N. Stemmons Prkwy  
Dallas, TX 75207-3134

BBVA Compass  
c/o LTD Financial Services, LP  
7322 SW Freeway, Ste 1600  
Houston, TX 77074-2134

BBVA Compass  
2001 Kirby Drive  
Houston, TX 77019-6043

Beneficial Savings Bank  
P O Box 4153-K  
Carol Stream, IL 60197

BexarMet Water District  
P O Box 245994  
San Antonio, TX 78224-5994

Bradfield, Dr & Mrs Thomas  
18200 Hamilton Pool Rd  
Austin, TX 78738-7012

Bradfield, Keller  
16708 French CT  
Austin, TX 78734

Breibart Law Firm  
P O Box 190107  
Birmingham, AL 35219-0107

Brilliant Promotional Products  
10161 Harwin, Suite 125  
Houston, TX 77036-1683

Buena Suerte  
7324 SW Freeway, Ste #1720  
Houston, TX 77074-2012

Burns, Chris  
328 Tuna Lane  
Virginia Beach, VA 23456-4400

Capital Recovery V, LLC  
c/o Recovery Management Systems Corporat  
25 SE 2nd Avenue Suite 1120  
Miami FL 33131-1605

Casey James LTD  
8531 N. New Bruanfels  
San Antonio TX 78217-6387

Centerpoint Energy  
P O Box 4981  
Houston, TX 77210-4981

Centralized Real Estate Services  
3050 Post Oak, Ste 110  
Houston, TX 77056-6557

Charles Douglas McCullough  
c/o Scanlan, Buckle & Young, PC  
602 West 11th Street  
Austin, TX 78701-2099

Chase  
P O Box 15298  
Wilmington, DE 19850-5298

Cheryl Johnson Tax Collector  
Galveston Counrty Courthouse  
722 Moody  
Galveston, TX 77550-2317

Chubb  
c/o RMS  
P O Box 280431  
East Hartford, CT 06128-0431

City Apartments Locators  
Locating Services  
20501 Katy Fwy, Suite #219  
Katy, TX 77450-1935

City of Houston, Water Department  
P O BOX 1560  
Houston, TX 77251-1560

Classic Touch Carpter Care  
P O Box 720929  
Houston, TX 77272-0929

Clinical Pathology Laboratories  
P O Box 78714-1669  
Austin, TX 78714-1669

Comcast  
P O Box 660618  
Dallas, TX 75266-0618

Compass Bank  
P.O. Box 10566  
Birmingham, AL 35296-0001

Convergent Outsourcing  
800 SW 39th St  
Renton, WA 98057-4975

Crestmark Construction Services  
1213 Shepherd Drive  
Houston, TX 77007-5429

Currier Carpet, Inc  
18071 F.M. 1314 Road  
Conroe, TX 77302-5909

Day Jr., Dwight  
4600 N Ocean Driver  
West Palm Beach, FL 33404-2679

Deirdre Carey Brown  
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5847 San Felipe  
Suite 2200  
Houston, TX 77057-3198

Direct Energy  
P O Boxd 676863  
Dallas, TX 75267-6863

Donna Irrigation District  
P O Box 775  
Donna, TX 78537-0775

Doris Long-Sohn  
15284 Lodge Terrace  
Woodbridge, VA 22191-3806

Dorothy Foster  
c/o Robert E. Black  
500 W. 16th Street, Suite 120  
Austin, TX 78701-1536

Dorothy Foster  
P O Box 5394  
Austin, TX 78763-5394

Dove Creek Retail, LTD  
503 Explorer  
Austin, TX 78734-3439

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Hoover Slovacek, LLP  
5847 San Felipe, Suite 2200  
Houston, TX 77057-3198

El Clareno Properties Ltd  
P O Box 781647  
San Antonio, TX 78278-1647

Endeavour Finance, LLC  
7044 Colchester Park Dr.  
Manassas, VA 20112-4058

Endeavour HOA  
4821 NASA Parkway  
Seabrook, TX 77586-6433

Enhanced Recovery  
8014 Bayberry Rd  
Jacksonville, FL 32256-7412

Equity Title  
4040 S Eastern Ave #130  
Las Vegas, NV 89119-0854

Falcon Bank  
801 Matamoros Drive  
Laredo, TX 78040-5000

Falcon Bank  
801 Matamoros  
Laredo, TX 78040-5000

Fannie Mae  
P O Box 650043  
Dallas, TX 75265-0043

First Bank  
P O Box 797091  
Saint Louis, MO 63179-7000

First National Bank of Edinburg  
6243 IH 10 W  
San Antonio, TX 78201-2099

Flat Iron Capital  
1700 Lincoln Street, 12th Floor  
Denver, CO 80203-4501

FMJR Investments, LLC  
503 Explorer  
Austin, TX 78734-3439

Fruciero, Frank  
440 35st  
Redondo Beach, CA 90277

GDI, LLC  
11023 Arroyono Canyon  
Austin, TX 78736-2401

GE Capital Retail Bank  
c/o Leading Edge Solutions  
5440 N. Cumberland Ave, STE 300  
Chicago, IL 60656-1486

Gene Holmes  
6151 FM 1123  
Belton, TX 76513-7719

Gilmore Living Trust  
8304 Southern Oaks CT  
Lorton, VA 22079-3057

Girard Diversified Interests, LTD  
P. O. Box 684847  
Austin, TX 78768-4847

Graciano & Isabel  
c/o Jack P. Mixa  
1400 Cornerstone Village Dr.  
Suite 332  
Houston, TX 77014

Gregory, Charls A.  
2825 West 11th  
Houston, TX 77008-6210

Guerra, Hector & Christina  
9210 Karpri Lane  
Houston, TX 77025-4204

Gulf Coast Answering Service  
P O Drawer 1151  
Altoona, PA 16603-1151

Harley Davidson/EagleMark  
P O Box 15129  
Palatine, IL 60055-0001

Harley-Davidson Credit Corp.  
821 Alexander Road, Suite 200  
Princeton, NJ 08540-6352

Harris & Greenwell  
800 Shoreline Plaza, Suite 2800-S  
Corpus Christi, TX 78401-3752

HD Supply Facilities  
P O Box 509058  
San Diego, CA 92150-9058

Hemmasi, Mr and Mrs Majid  
2300 Chesick Court  
Austin, TX 78746-1934

Hess, Mike  
110 CypressStation Dr #173  
Houston, TX 77090-1630

Hidalgo County Tax Office  
Armando Barrera Jr. RTA  
P O Box 178  
Edinburg, TX 78540-0178

HPES  
20202 Hwy 59, suite 325  
Humble, TX 77338-2406

HSBC Comsumer Lending (USA) Inc  
Atlantic Credit & Finance,  
c/o John P. Frye  
P O Box 13665  
Roanoke, VA 24036-3665

HUD  
451 - 7th Street SW  
Washington, DC 20410-0002

HUD Regional Office  
801 Cherry Street, Unit #45  
Suite 2500  
Fort Worth, TX 76102-6803

Icon Bank of Texas  
7908 N Sam Houston Parkway W  
Suite 100  
Houston, TX 77064-3508

Icon Bank of Texas, N.A.  
c/o Eric Gould  
O'Connor, Craig, Gould & Evans  
5773 Woodway #184  
Houston, Texas 77057-1501

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P O Box 660043  
Dallas, TX 75266-0043

Ignacio Luna  
4500 North Main #5  
Houston, TX 77009-4546

Insco #29  
5921 South Loop East  
Houston, TX 77033-1017

Integrated Anesthis Services  
P O Box 4860  
Murrells Inlet, SC 29576-2698

Integrity Bank  
4040 Washington Ave  
Houston, TX 77007-5606

Internal Revenue Service  
P O Box 7346  
Philadelphia, PA 19101-7346

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1903 Georgia Landing Cove  
Austin, TX 78746-7263

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Eastburn Properties, Ltd.  
1205 Brooks Hollow  
Austin, TX 78734-3435

Kings III Emergency Communications  
751 Canyon Dr Suite 100  
Coppell, TX 75019-3857

KMN Sheet Metal, Inc.  
7214 Lockport Pl.  
Lorton, VA 22079-1525

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P O Box 311  
105 White Oak Lane, Second Floor  
Old Bridge, NJ 08857-1975

Layle, Lynda (Estate of)  
c/o Brittany Helen Boozer, Executor  
Stewart & Walker, PLLC  
1903 Georgia Landing Cove  
Austin, TX 78746-7263

Leading Edge Recovery Solutions, LLC  
P O Box 129  
Linden, MI 48451-0129

Lee Walllis, Inc  
8531 N. New Braunfels RD, #100  
San Antonio, TX 78217-6387

Legacy Homes, Ltd.  
4801 Mark IV Parkway  
Fort Worth, TX 76106-2217

Legacy Housing LTD  
4801 Mark IV Parkway  
Fort Worth TX 76106-2217

Lexis Nexis  
Resident Screening  
P O Box 730694  
Dallas, TX 75373-0694

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Long, John D.  
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Fairfax Station, VA 22039-1733

Long, Sherry  
6669 Rutledge  
Fairfax Station, VA 22039-1733

Lopez Carpet Care & Painting, Inc  
P O Box 358  
Stafford, TX 77497-0358

Maintenance Supply Headquarters  
P O Box 203601  
Houston, TX 77216-3601

Mason Mill & Lumber Co, Inc  
C S Managment Inc.  
Registered Agent: Juan Creixall  
8305 Shoul Creek Boulevard  
Austin, TX 78757-7525

Mattox, Terrell & Associates  
1614 Ave B  
Katy, TX 77493-1611

McCullough Kwik Air & Heating  
8525 Finlay Street  
Houston, TX 77017-3203

Mercantile Adjustment Bureau, LLC  
35A Rust Lane  
Boerne, TX 78006-8202

Michael E. Hess  
110 Cypress Station Dr. #73  
Houston TX 77090-1630

Michael Moore  
17918 Texas Emmy Lane  
San Antonio, TX 78258-1608

Mueller Water Conditioning, Inc  
P O Box 975118  
Dallas, TX 75397-5118

Muller, Frank  
9337 Jamaica Beach  
Galveston, TX 77554-9657

Mustak Ali  
6 Rufford Drive  
Austin, TX 78701

Nationwide Credit  
2002 Summit Blvd, Ste 600  
Atlanta, GA 30319-1559

New Opportunities Fixed Income Fund  
8531 N. New Braunfels Rd #100  
San Antonio, TX 78217-6387

Northmarq Capital LLC  
P O 86 505 12 - 0502  
Minneapolis, MN 55486-0086

NRC, Inc.  
6491 Peachtree Industrial Blvd.  
Atlanta, GA 30360-2100

NUNIS AND ASSOCIATES  
801 WEST AVE  
SUITE 200  
AUSTIN TX 78701-2247

Office Depot  
P O Box 88040  
Chicago, IL 60680-1040

Pecos Road, LLC  
Attn Jeffrey Seretan, Manager  
11770-Q Pacific Coast Highway  
Malibu, CA 90265-2202

Pioneer Exterminating Company  
P O Box 31387  
Houston, TX 77231-1387

Point West HOA  
8360 E Via De Vuntura  
Suite L-100  
Scottsdale, AZ 85258-3183

Porfirio Castanon  
Leasing Office  
4500 North Main  
Houston, TX 77009-4546

Presto  
580 N. Shepherd  
Houston, TX 77007-1317

Presto  
580 N. Shepard  
Houston, TX 77007-1317

Presto Maintenance Supply, Inc.  
c/o Dennis A. McQueen  
Pagel Davis & Hill PC  
1415 Louisiana, 22nd Floor  
Houston, TX 77002-7344

Professional Premium Collections, Inc  
P O Box 656742  
Fresh Meadows, NY 11365-6742

Propel Financial Services, L.L.C.  
c/o John Lane & Associates  
8526 N. New Braunfels  
San Antonio, Texas 78217-6304  
210-828-8900

Propel Financial Services, LLC  
8203 IH 10 West  
San Antonio, TX 78230-3859

Property Owners Association  
of Point West  
8360 W Via De Ventura  
Suite L-100  
Scottsdale, AZ 85258

Prosperity Bank  
c/o William J. Cronin, PC  
Attorney-at-Law  
110 Cypress Station Dr, Ste 154  
Houston, TX 77090-1637

Quality Services Company  
P O Box 631851  
Houston, TX 77263-1851

R. B. Painting Corp.  
c/o Simmons and Adams  
9896 Bissonnet St, Ste 250  
Houston, TX 77036-8148

R. B. Painting Corporation  
c/o Thomas Simmons  
SIMMONS & ADAMS  
9896 Bissonnet, Suite 250  
Houston, TX 77036-8148

Reliant Energy  
P O Box 650475  
Houston, TX 77265-0475

Reliant Energy  
P O Box 650475  
Dallas, TX 75265-0475

Reliant Energy  
P O Box 3765  
Houston, TX 77253-3765



Reliant Energy RSLLC  
c/o Marchris Glen Robinson  
Robinson Law Group PLLC  
4203 Yoakum Blvd., Suite 310  
Houston, TX 77006-5455

Reliant, an NRG Company  
P O Box 148  
Houston, TX 77001-0148

Resident Data  
P O Box 730694  
Dallas, TX 75374-0694

RLHeinrichs Trustee RLH Trust Dated July 12,  
1302 Ventana Cyn.  
Leander, TX 78641-3637

RMS  
77 Hartland Street, Suite 401  
P O Box 280431  
East Hartford, CT 06128-0431

Robert L. Heinrichs, Trustee  
Under the RLH Trust Dated July 12, 2012  
c/o Robert Nunis  
801 West Avenue, Suite 200  
Austin, TX 78701-2247

Rocking Y, LTD  
8531 N. New Braunfels Rd, #100  
San Antonio, TX 78217-6387

Rosendo's Roofing & Remodeling  
104 Virginia  
Houston, TX 77587-3424

Royal Plumbing  
6750 Long Point  
Houston, TX 77055-2276

Rufina Hemmasi  
The Schultz Law Firm PC  
101 West Sixth Street, Suite 716  
Austin, Texas 78701-2936

Salvador M. Castillo  
4008 Sherwood Lane  
Houston, TX 77092-7895

Sanchez Propainting  
19402 Gracely Park Lane  
Richmond, TX 77407-3843

Senecca Insurance Company, Inc.  
160 Water Street  
New York, NY 10038-4963

South Austin Med Ctr  
6000 Northwest Parkway, Suite 124  
San Antonio, TX 78249-3345

South Austin Medical Cen  
Resurgent Capital Services  
PO Box 1927  
Greenville, SC 29602-1927

Southland  
Property Tax Consultants, Inc.  
777 Main Street, Suite 1960  
Fort Worth, TX 76102-5355

Southwestern Bell Telephone Company  
% AT&T Services, Inc  
Karen A. Cavagnaro - Lead Paralegal  
One AT&T Way, Room 3A104  
Bedminster, NJ 07921-2693

Sprint  
c/o West Asset Management  
P O Box 790113  
Saint Louis, MO 63179-0113

Standard Insurance  
1100 SW 6th Avenue (P11B)  
Portland, OR 97204-1093

Tehrani, Mohammad  
P O Box 140853  
Austin, TX 78714-0853

Texas Community Bank  
16610 IH 45  
Woodlands, TX 77384-4130

Texas Protax Austin, Inc.  
Bill Aleshire  
RIGGS ALEGHIRE & RAY, P.C.  
700 Lavaca St., Suite 920  
Austin, TX 78701-3113

The Apartment Store & More  
7 Switchbud Place #192-272  
The Woodlands, TX 77380-3700

The Treasury  
6535 Comanche Trail  
Austin, TX 78732-1207

Thomas K. Bradfield  
PO Box 341196  
Austin, TX 78734-0020

Tracey McCullick  
c/o Judy Walker  
Stewart & Walker, PLLC  
1903 Georgia Landing Cove  
Austin, TX 78746-7263

Tracy McCullick and Linda Layle  
10608 Spicewood Parkway  
Austin, TX 78750-3306

Travis County  
c/o Kay D. Brock  
P.O. Box 1748  
Austin, TX 78767-1748  
USA

Travis County Tax Office  
5501 Airport Blvd.  
Austin, TX 78751-1410

University Federal Credit Union  
P O Box 9350  
Austin, TX 78766-9350

USAA  
10750 McDermott Frwy  
San Antonio, TX 78288-1600

Val Verde County  
P O Box 1368  
Del Rio, TX 78841-1368

Val Verde County  
c/o David G. Aelvoet  
711 Navarro, Suite 300  
San Antonio, TX 78205-1749

Verification Plus, Inc. New  
6161 Savoy, Suite 600  
Houston, TX 77036-3339

Village of San Leanna  
5501 Airport Blvd  
Austin, TX 78751-1410

W. Thomas Buckle  
Scanlan, Buckle & Young, P.C.  
602 West 11th Street  
Austin, TX 78701-2007

Wallis Alan, LTD.  
8531 N. New Braunfels, Suite 105  
San Antonio TX 78217-6365

Walmart  
P O Box 965023  
Orlando, FL 32896-5023

Warrington & Warrington, Lts  
8435 Noble Park  
Fair Oaks Ranch, TX 78015-4441

Waste Corporation of Texas  
6632 John Ralston Rd  
Houston, TX 77049-3306

Wells Fargo  
D108086-12 - 12th Floor  
550 S Tryon St  
Charlotte, NC 28202-4200

Wells Fargo  
P O Box 54394  
Los Angeles, CA 90054-0394

Wells Fargo Bank  
P O Box 266000  
Dallas, TX 75326-0001

Wells Fargo Bank/ CASH, LLC  
c/o Law office of J.A. Cambece  
200 Cummings Center  
suite 173-D  
Beverly, MA 01915-6190

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